

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Joint Application of California-American Water Company (U-210-W), a California corporation, RWE Aktiengesellschaft, a corporation organized under the laws of the Federal Republic of Germany, Thames Water Aqua Holdings GmbH, a corporation organized under the laws of the Federal Republic of Germany, Thames Water Plc, a corporation organized under the laws of the United Kingdom and Wales, and Apollo Acquisition Company, a Delaware Corporation, for an order Authorizing Apollo Acquisition Company to merge with and into American Water Works Company, Inc. resulting in a change of control of California-American Water Company, and for such related relief as may be necessary to effectuate such transaction.

Application 02-01-036
(Filed January 28, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING
SETTING FINAL ORAL ARGUMENT BEFORE THE COMMISSION**

This ruling grants the Montara Sanitary District (MSD) and the City of Thousand Oaks' (Thousand Oaks) requests for final oral argument before the Commission pursuant to Rule 8(d) of the Commission's Rules of Practice and Procedure.

Oral argument shall be held on:

Thursday, December 12, 2002

10:00 a.m. to 11:45 a.m.

Commission Auditorium

505 Van Ness Avenue

San Francisco, California

A. Oral Argument Schedule

Oral argument shall be conducted as follows. The parties who participated in the evidentiary hearings and closing argument before Assigned Commissioner Duque will have the opportunity to participate in the final oral argument. These parties are applicants, the Office of Ratepayer Advocates (ORA), MSD, Thousand Oaks, and the Utility Workers Union of America AFL-CIO (Union). Because applicants have the burden of proof, they will open and close the argument.

Parties should understand that the time allocations listed below include the time necessary for any questions that a Commissioner might ask during the parties' presentation. We have also reserved additional time for Commissioners' questions at the conclusion of the parties' presentations.

The schedule is as follows:

Convening the proceeding (5 minutes)

Applicants' opening presentation – applicants should allocate the time among themselves (25 minutes)

ORA's presentation (5 minutes)

Union's presentation (5 minutes)

MSD's presentation (15 minutes)

Thousand Oaks' presentation (15 minutes)

Applicants' rebuttal (applicants should allocate this time among themselves (10 minutes)

Commissioners' questions not asked during the parties' presentation (25 minutes)

B. Handouts and Briefing Boards

Parties may distribute handouts or use briefing boards¹ at the oral argument consistent with the following:

- Parties must distribute copies of all handouts or briefing boards they plan to use to the other parties no later than 5:00 p.m., two business days before the oral argument (i.e., December 10 by 5:00 p.m.);
- Parties shall provide copies of handouts sufficient for the Commission and others attending the oral argument;
- Parties using a briefing board shall also provide copies of the briefing board in reduced format sufficient for the Commission and others attending the oral argument;
- Handouts or briefing boards must include citations to record evidence clearly supporting any factual assertions;
- All pages and points should be numbered for ease of reference and to facilitate an understanding of the resulting transcript; and
- Handouts and briefing boards will not be received as exhibits.

IT IS RULED that:

1. The Commission shall hold final oral argument on Thursday, December 12, 2002 from 10:00 a.m. to 11:45 a.m.
2. The schedule for the oral argument is set forth in Section A of this ruling.

¹ The time limitations prevent the convenient use of overhead projectors by the parties.

3. Rules concerning the use of handouts or briefing boards are set forth in Section B of this ruling.

Dated November 15, 2002, at San Francisco, California.

/s/ JANET A. ECONOME

Janet A. Econome
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Final Oral Argument Before the Commission on all parties of record in this proceeding or their attorneys of record.

Dated November 15, 2002, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074 or TTY# 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.